

**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **CONVERSION OF APOPTOTIC PROTEINS**; the specification of which was filed on **December 11, 2003** as Application Serial No. **10/735,418**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: 60/433,535

Filing Date: December 12, 2002

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: John C. Reed

Inventor's signature

Date

5-27-04

Residence: 17044 El Camino Real, Rancho Santa Fe, CA 92067

Citizenship: U. S. Citizen

Post Office Address: 17044 El Camino Real, Rancho Santa Fe, CA 92067

Full name of second inventor: Xiao-kun Zhang

Inventor's signature 

Date June 8, 2004

Residence: 4227 Shorepointe Way, San Diego, CA 92130

Citizenship: U. S. Citizen

Post Office Address: 4227 Shorepointe Way, San Diego, CA 92130

Full name of third inventor: Bin Guo

Inventor's signature _____

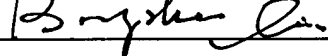
Date _____

Residence: 5101 Amber Valley Pkwy, #20, Fargo, ND 58104

Citizenship: P. R. of China

Post Office Address: 5101 Amber Valley Pkwy, #20, Fargo, ND 58104

Full name of fourth inventor: Bingzhen Lin

Inventor's signature 

Date 6/8/04

Residence: 8742 Via La Jolla Dr., #32, La Jolla, CA 92037

Citizenship: P. R. of China

Post Office Address: 8742 Via La Jolla Dr., #32, La Jolla, CA 9203

Full name of second inventor: Xiao-kun Zhang

Inventor's signature _____


Date _____

Residence: 4227 Shorepointe Way, San Diego, CA 92130

Citizenship: U. S. Citizen

Post Office Address: 4227 Shorepointe Way, San Diego, CA 92130

Full name of third inventor: Bin Guo

Inventor's signature 

Date 6/6/04

Residence: 5101 Amber Valley Pkwy, #20, Fargo, ND 58104

Citizenship: P. R. of China

Post Office Address: 5101 Amber Valley Pkwy, #20, Fargo, ND 58104

Full name of fourth inventor: Bingzhen Lin

Inventor's signature _____

Date _____

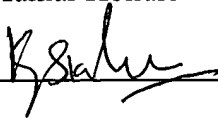
Residence: 8742 Via La Jolla Dr., #32, La Jolla, CA 92037

Citizenship: P. R. of China

Post Office Address: 8742 Via La Jolla Dr., #32, La Jolla, CA 9203

Full name of fifth inventor: Siva Kumar Kolluri

Inventor's signature



Date

27 May 2004.

Residence: 10628 Dabney Dr, #168, San Diego, CA 92126

Citizenship: India

Post Office Address: 10628 Dabney Dr, #168, San Diego, CA 92126

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

Application No.: 10/735,418
Filing Date: December 11, 2003

COPY

PATENT
Client Code: BURNHAM.004A
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ASSIGNMENT

WHEREAS, We, **John C. Reed** of 17044 El Camino Real, Rancho Santa Fe, CA 92067, a U.S. Citizen; **Xiao-kun Zhang** of 4227 Shorepointe Way, San Diego, CA 92130, a U.S. Citizen; **Bin Guo** of 5101 Amber Valley Pkwy #20, Fargo, ND 58104, a citizen of the PR of China (US. Lawful Permanent Resident); **Bingzhen Lin** of 8742 Via La Jolla Dr. #32, La Jolla, CA 92037, a Citizen of PR of China; and **Siva Kumar Kolluri** of 10628 Dabney Dr #168, San Diego, CA 92126 a citizen of India, have invented certain new and useful improvements in a CONVERSION OF APOPTOTIC PROTEINS for which we have filed an application for Letters Patent in the United States, Application No. 10/735,418, Filed on December 11, 2003;


AND WHEREAS, The Burnham Institute (hereinafter "ASSIGNEE"), a Corporation, with its principal place of business at 10901 North Torrey Pines Road, La Jolla, CA 92037, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE DO HEREBY sell, assign, transfer, and convey to ASSIGNEE, his successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of the said Letters Patent before or after issuance.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 27 day of May, 2004



JOHN C. REED

STATE OF California }
COUNTY OF San Diego } ss.

On May 27, 2004, before me, JOHN C. REED, personally appeared ~~personally known to me~~ ~~(or proved to me on the basis of satisfactory evidence)~~ to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(~~ies~~), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 8 day of June, 2004

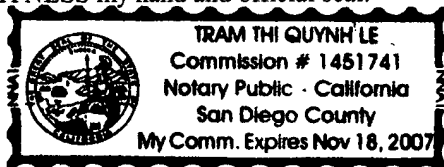
XIAO-KUN ZHANG

STATE OF California }
COUNTY OF San Diego } ss.

On June 8, 2004, before me, XIAO-KUN ZHANG, ☒ personally appeared ~~personally known to me (or~~
proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within
instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s)
on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this _____ day of _____, 20__.

BIN GUO

STATE OF _____ }
COUNTY OF _____ } ss.

On _____, before me, BIN GUO, personally appeared ~~personally known to me (or~~
proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and
acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Notary Signature

Application No.: 10/735,418
Filing Date: December 11, 2003

PATENT
Client Code: BURNHAM.004A
Page 2

WITNESS my hand and official seal.

[SEAL]

Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this ____ day of _____, 20__.

XIAO-KUN ZHANG

STATE OF _____ }
COUNTY OF _____ } ss.

On _____, before me, XIAO-KUN ZHANG_, personally appeared personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this ____ day of _____, 20__.




BIN GUO

STATE OF North Dakota }
COUNTY OF Cass } ss.

On 6-7-04, before me, BIN GUO, personally appeared personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.
NANCY A. HAGGLUND-MORGAN
Notary Public, State of North Dakota
My Commission Expires 7-18-07
STATE OF NORTH DAKOTA
NOTARY PUBLIC SEAL



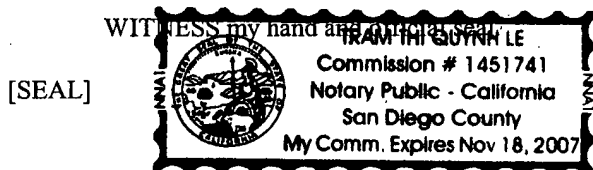
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 8 day of June, 2004

Bingzhen Lin
BINGZHEN LIN

STATE OF California }
COUNTY OF San Diego } SS.

On June 8, 2004, before me, BINGZHEN LIN, personally appeared ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



[Signature]
Notary Signature

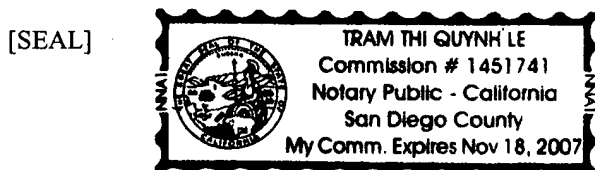
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 27 day of May, 2004.

[Signature]
SIVA KUMAR KOLLURI

STATE OF California }
COUNTY OF San Diego } SS.

On May 27, 2004, before me, SIVA KUMAR KOLLURI, personally appeared ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



[Signature]
Notary Signature